

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

MATTHEW GIBSON,

Plaintiff,

vs.

Civil Action No. 5:21-cv-00181
Honorable Frank W. Volk

LOUISE E. GOLDSTON, individually,
COUNTY COMMISSION OF RALEIGH
COUNTY, a political subdivision,
JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,

Defendant.

**PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON'S MOTION IN
LIMINE TO PRECLUDE THE INTRODUCTION OF UNDISCLOSED EVIDENCE OF
DAMAGES**

NOW COMES Plaintiff, Matthew Gibson, by and through counsel, John H. Bryan,
and for his response to DEFENDANT LOUISE E. GOLDSTON'S MOTION IN LIMINE
TO PRECLUDE THE INTRODUCTION OF UNDISCLOSED EVIDENCE OF DAMAGES
states the following:

1. That, Plaintiff does not object to entry of an order precluding the
introduction of undisclosed evidence of damages as requested in Defendant Louise E.
Goldston's Motion In Limine, to the extent the subject evidence was subject to
disclosure and/or requested for disclosure. Plaintiff has no intention of introducing
exhibits at trial which have not already been disclosed during the course of discovery
and pretrial litigation. Plaintiff would oppose any limitation on Plaintiff's ability to

articulate the extent of his emotional damages during his testimony at trial, or otherwise restrict his ability to respond to questions, so long as otherwise admissible under the Federal Rules of Evidence.

MATTHEW GIBSON,
By Counsel

/s/ John H. Bryan
John H. Bryan, State Bar ID # 10259
JOHN H. BRYAN, ATTORNEY AT LAW
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For Plaintiff

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JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,
KYLE LUSK, individually,

Defendant.

CERTIFICATE OF SERVICE

I, John H. Bryan, do hereby certify that I have delivered a true copy of the foregoing PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF UNDISCLOSED EVIDENCE OF DAMAGES, has been served upon counsel of record by using the CM/ECF System, this the 13th day of June, 2022, and addressed as follows:

Jennifer E. Tully, Esq.
Adam K. Strider, Esq.
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Charleston, WV 25337-3710
Counsel for Louise E. Goldston

J. Victor Flanagan, Esq.
Kevin J. Robinson, Esq.
Pullin Fowler Flanagan, Brown & Poe, PLLC
252 George Street
Beckley, WV 25801
Counsel for Raleigh County Defendants

/s/ John H. Bryan

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